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OFFICE OF PETITIONS

In re Application of
Douglas J. Hidding
Application No. 10/644,491
Filed: August 20, 2003
Attorney Docket No.: BMO-129

ON PETITION

This is a decision on the petition filed February 13, 2006, under 37 CFR 1.181, to withdraw the holding of abandonment for the above-identified application.

The petition under 37 CFR 1.181 is **GRANTED**.

The application was held abandoned for failure to timely submit a timely response to the non-Final Office Action mailed June 30, 2005, which set a three month period for reply. Accordingly, a Notice of Abandonment was mailed February 2, 2006.

Petitioner asserts that a response was filed and, in support, petitioner has submitted, *inter alia*, a copy of the response in the form of an amendment, a three month extension of time request and a post card receipt date stamped December 27, 2005 by the USPTO.

A search of the application file and the USPTO records reveals that in fact, an amendment and three month extension of time were filed on December 27, 2005. Accordingly, the Notice of Abandonment mailed February 2, 2006 was mailed in error and is hereby withdrawn. No petition fee is due and none has been charged.

This matter will be referred to Technology Center 3727 for appropriate action on the amendment filed December 27, 2005, a copy of which was submitted upon petition.

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (571) 272-3212.

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